



Request for Proposal

Legal Services

RFP Number: 10NOV2014_Legal Services

Date Issued: November 10, 2014

Due Date: November 19, 2014

Procurement Contact:

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EDUCATION ACHIEVEMENT AUTHORITY of Michigan

About the Education Achievement Authority: The Education Achievement Authority of Michigan (the “EAA”) is a statewide school system that will assume operation of the lowest five (5) percent of performing schools in the state of Michigan that are not achieving satisfactory results on a redesign plan or that are under an Emergency Manager. It is designed to provide a new, stable, financially responsible set of public schools that create the conditions, supports, tools and resources under which teachers can help students make significant academic gains. It has been initially applied to underperforming schools in Detroit and will ultimately be expanded to include low performing schools throughout Michigan.

Equal Opportunity: It is the public policy of the EAA, at all levels of procurement, to promote equal opportunity in employment and contracting opportunities. Additionally, the EAA endeavors to promote and encourage the participation of Minority Business Enterprises (“MBEs”), Women Business Enterprises (“WBEs”) and small and other disadvantaged business entities, as defined by the Small Business Administration. Therefore, the EAA is committed to pursue such avenues in its employment and contracting activities, which will further the goals of this policy. Similarly demonstrated commitment, consistent with the goals of this policy, by those with whom the EAA of Michigan does business, is highly desirable.

LEGAL SERVICES

Request for Proposal

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Request for Proposals

I. Overview

The EAA is based in Detroit, Michigan. For the current school year, the EAA will have an enrollment of approximately 6,200 students in grades PK-12 in the twelve (12) schools identified in this RFP (each a "Facility" and collectively the "Facilities"). These Facilities include six (6) high school buildings (grades 9-12) and six (6) elementary/middle school buildings (grades PK-8). The purpose of this RFP is to identify a proven Proposer(s) able to offer the professional services listed below. It is expected that these services will lead to significant gains in student achievement.

The EAA is seeking responses from qualified entities to provide Legal Services during the 2014-2015 school year. The EAA may select one or more entities to provide these services. The process will include a review and evaluation of a Proposer's methodology and the procedures that they will employ to provide the services contemplated by this RFP. To the extent that a Proposer has past experience providing similar services to other educational entities, this information should be highlighted and included in their proposal.

II. Purpose

The EAA requests proposals from qualified individuals and/or agencies interested in providing Legal Services to the EAA. Proposals will be evaluated for services to be provided during the 2014-15 school year; however, the EAA reserves the right to extend the term of any subsequent contractual agreement the EAA may enter into with a Proposer, upon mutual consent of both parties.

III. Scope of Work

SCOPE OF SERVICES

The EAA is seeking a qualified law firm to provide general counsel legal services. Services include but are not limited to the following:

- Student discipline matters, including application and implementation of the EAA's Student Code of Conduct, student disciplinary hearings and appeals;
- Personnel matters, including employment contracts, benefits, investigations, negotiations, disciplinary actions, grievance hearings and appeals.
- Parent and student matters, including grievance hearings and appeals, custody matters, record requests, etc.
- Community matters, including grievance hearings and appeals.

- Handling subpoenas, including providing FERPA notices as necessary and providing general advice to employees who must respond to subpoenas for records and testimony.
- Advising and representing the Board and Administration on potential, pending and active litigation involving the EAA.
- Advising the Board and Administration on the creation and revision of Board policy.
- Advising the Board and Administration as to appropriate application of federal and state law as well as any and all EAA policies.
- Assisting Human Resources with various claims, including accident/injury claims, unemployment claims and appeals, Workers Compensation issues, etc.
- Attending all Board meetings to advise the Board on appropriate application of the Michigan Open Meetings Act and matters pertaining to Board policy.
- Advice and counsel on Freedom of Information Act requests and Open Meetings Act.
- EEOC, MDCR, OSHA, and/or any other administrative complaints, investigation and/or compliance reviews
- Reviewing, drafting and negotiating contracts and leases.
- Coordinating services with other law firms representing the EAA in specialty matters (e.g., a lawsuit for which a firm other than the general counsel is representing the EAA).

Legal services related to audits, and all issues pertaining to special education are considered to be outside the scope of general counsel legal services and will be engaged under separate contract.

The term of this engagement is one year with an option to extend at the EAA's discretion. The firm's performance under this contract will be evaluated annually in conjunction with the contract extension process.

STATEMENT OF QUALIFICATIONS CONTENT

In order to facilitate the review and evaluation of all responses, the EAA requires that Statements of Qualification be submitted in the standard format outlined herein. Although each submitted Statement of Qualification should at a minimum contain the sections outlined below, submissions may include other pertinent or supporting information in the form of Appendices.

All submitted Statements of Qualifications must contain the following sections:

Cover Letter

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Other Appendices	To be determined by Individual Proposer

These requirements should not inhibit Proposers from submitting additional information that will enhance the EAA's understanding of the Proposer's approach, qualifications and other relevant factors.

Each required section is discussed in greater detail below.

Cover Letter

The cover letter should introduce the firm and any partners, associates or legal assistants who will manage and/or work on legal matters for the EAA. The cover letter should:

- Be printed on the firm's official stationery;
- Contain the name, telephone number, and email address of the partner who will manage the engagement;
- Name of all attorneys, paralegals and legal assistants who may be assigned to work on EAA matters; and
- State that the signing official is authorized to sign and submit the qualifications statement on behalf of the Proposer.

I. Firm Profile

This section should include the following:

- Firm name
- Identify address, telephone, fax numbers and website URL of the firm office that will be primarily responsible for the engagement.
- Form of business organization (corporation, partnership, individual, joint venture, etc.)
- Year the firm was established and number of years the firm has been in business.
- Other or former names under which the firm has operated.
- Identify the partner-in-charge for this engagement and provide his/her contact information.
- Total number of full-time attorneys employed by the firm (break out between principal office and satellite offices, if applicable)
- Total number of other employees (excluding attorneys) employed by the firm (break out numbers between principal office and satellite offices, if applicable)
- A brief profile of the firm's organization and history
- Describe the legal services provided by your firm.
- Describe your firm's specialty and/or area(s) of expertise (e.g., Michigan school law, Michigan Public Information Act, Michigan Public Meetings Act, constitutional law, Michigan educator employment law, contract law, construction law, special education, family law, environmental law, etc.).
- Include a statement of capability to complete the scope of work and a commitment of the stated team for the proposed engagement.

II. Firm Financial Profile

Answer the following questions in this section:

- Has the firm ever failed to complete any work awarded? If yes, explain when and the circumstances.
- Have there been any judgments, claims, mediation/arbitration proceedings, and/or lawsuits against the firm or its officers pertaining to similar services, in the past five (5) years and/or any such claims that are outstanding? If yes, explain the nature, status and the outcome of the matter(s).
- Has the firm filed any lawsuits or requested mediation/arbitration with regard to services within the last five (5) years? If yes, explain the nature, status and the outcome of the matter(s).
- Has the firm received any legal demand letters from clients in the past five years? If yes, explain the nature, status and outcome of the matter(s).
- State the amount of professional liability insurance your firm would typically carry on projects of the type and cost included in this RFP. Include the amount of deductible you generally include with this insurance.

III. Relevant Firm Experience

This section should outline the firm's relevant experience providing the scope of services requested herein. The following information must be included:

- A description of the firm's experience in providing general counsel legal services to K-12 public school EAAs in the state of Michigan.
- Number of years the firm has provided general counsel legal services to Michigan K-12 public school Districts.
- Describe any special training or experience members of your firm possess that may assist in providing the requested legal services.
- To the extent applicable, please describe any and all work your firm has previously performed for the EAA.

IV. Approach to Services and Methodology

This section should outline the firm's overall approach and related methodology for providing the scope of services to THE EAA. The following information must be included:

- List the services that the firm will provide under contract for general counsel legal services.
- List the services that the firm excludes under contract from general counsel legal services.
- List additional legal services that the firm can provide to the EAA beyond general counsel legal services and the process for the EAA to procure such additional services from the firm.
- Describe the firm's philosophy, strategy and approach to general counsel legal services for K-12 public education clients.
- Address how the firm accomplishes quality and timely deliverables.
- Describe the firm's approach to maintaining responsive communication with its governmental clients and keeping the client informed of problems and work progress.
- Describe firm's resolution process to any disputes arising between firm and client under a legal services contract.

V. Personnel and Consultants

- Provide the qualifications and experience of all firm personnel who will be assigned to the engagement (resumes of the proposed team members should be provided in Appendix I).
- Provide the name and qualifications of any outside specialists and consultants that the Proposer anticipates will be used to assist with the engagement and describe the services to be provided.

VI. References

Provide a list of five client references for whom the firm has provided general counsel legal services with contact person, address, telephone number and email address. The EAA reserves the right to contact references from the firm's client list.

VII. Professional Fees

Provide the following information on proposed fees for this engagement:

- Describe the proposed fee structure for general counsel legal services provided under this engagement (e.g., hourly rates billed by position, blended single hourly rate billed for all work performed, retainer fee, etc.).
- State the total estimated annual cost for general counsel legal services provided under this engagement.
- Describe how fees will be determined for services provided outside the agreement for general counsel legal services.
- Define the manner in which expenses will be billed to the EAA. Specifically indicate what expenses or types of expenses will be billed to the EAA for reimbursement.
- Describe the proposed type and frequency of billing for this engagement (e.g., monthly itemized statement, monthly/quarterly retainer, etc.).

Appendix I. Resumes of Key Personnel

State the qualifications and experience of each attorney who will provide legal services to the EAA. Resumes of these individuals should include:

- Education
- Years and jurisdiction of admission to practice
- General work experience
- Any professional distinctions
- Areas of specialization
- Office location of each attorney

Appendix II. Proposed Contract or Engagement Letter

The Proposer should include a proposed contract or engagement letter for the scope of services the EAA seeks in this engagement.

IV. Proposer Qualifications

The EAA is seeking proposals from Proposers who:

- Have the necessary capacity and infrastructure to deliver all services as outlined herein;
- Have the ability to provide standard service level agreements (SLAs); and
- Agree to purchase, prior to the commencement of services, and maintain for the duration of any subsequent agreement that the EAA and a Proposer may enter into, the following insurance coverage in the minimum amounts indicated:

Commercial General Liability Insurance: On an “Occurrence Basis” with limits of liability not less than \$1,000,000 each occurrence, \$5,000,000 aggregate, combined single limit, Personal Injury, Bodily Injury and Property Damage. Coverage shall include the following extensions: A) Contractual Liability; B) Products and Completed Operations; C) Independent Proposer’s Coverage; D) Broad Form General Liability Extensions or equivalent; E) Deletion of all Explosion, Collapse and Under group (XCU) Exclusions, if applicable.

Workers’ Compensation including Employer’s Liability Coverage: \$100,000 each accident, \$500,000 annual aggregate, in accordance with all applicable Michigan law.

Motor Vehicle Liability: If Proposer, or its employees, will use motor vehicles to satisfy its responsibilities, then Proposer must have a minimum amount of \$1,000,000 per occurrence combined single limit including coverage for hired or leased vehicles, and owned and non-owned vehicles with No-Fault coverage as required by law. If an insurance coverage furnished by Proposer is on a “claims made” basis, the Proposer shall continue the coverage required under the contract for a minimum period of three years after the expiration or termination of the contract.

Errors and Omissions/Professional liability: With limits no less than One Million Dollars (\$1,000,000) per claim and Three Million Dollars (\$3,000,000) in the annual aggregate.

In addition, Proposer shall include the following as Additional Insured: The Education Achievement Authority including its elected and appointed officials, employees, and volunteers.

V. Proposal Requirements

Description of Service Model and Approach: Describe your approach to develop assessments, as well as your ability to deliver them electronically. Please also include the strategies your organization will employ to effectively execute the work in each of the areas described in Section III, above.

Experience: Include examples of your organization’s experience serving as a service provider for other schools and/or districts.

Staffing Model: Provide an overview of your staffing model and an outline of who will be working with the EAA in order to fulfill the responsibilities outlined in Section III, and with what frequency.

Cost Information: Provide an overview of the costs associated with your model. Please utilize Attachment B – Pricing, and provide information requested therein. The rate shall include supervision, labor, materials, tools, equipment, supplies, services, insurance, transportation, and other incidental requirements necessary to perform the work. The EAA will not accept invoices that contain anything other than the agreed

upon hourly rate.

Minimum Submission Requirements: Any proposal that does not meet the following requirements will be deemed ineligible for further review and consideration:

- Meeting the submission deadline of November 19, 2014 at 1 p.m. EST;
- Submitting a complete proposal in Microsoft Word;
- Submitting a sworn and notarized statement disclosing any familial or social relationship that exists between the Proposer or any employee of the Proposer and EAA staff or board members (See Attachment A).

Contract Award: The EAA reserves the right to award contract(s) in a manner deemed to be in the best interest of the EAA.

Term: The contract(s) potentially resulting from this RFP shall be in effect beginning December 1, 2014 through August 15, 2015. The EAA reserves the right to extend the contract(s), or parts thereof, for a period up to, or exceeding, the full original contract(s) term with mutual consent between both parties.

Amendment or Cancellation of the RFP: The EAA reserves the right to cancel, amend, modify or otherwise change this RFP at any time, if deemed in the best interest of the EAA to do so. Further, the EAA, at its option, may seek the retraction and/or clarification of any discrepancy or contradiction that may be discovered during the proposal review process.

Proposer Presentation of Supporting Evidence: Within the sole discretion of the EAA, Proposers may be invited to present additional evidence relating to their experience, performance, ability, and/or financial surety, all of which may assist in the evaluation of a Proposer's ability to perform the services requested in this RFP.

Proposer Demonstration of Proposed Services and/or Products: At the discretion of the EAA, Proposers may be required to submit additional information and/or evidence to demonstrate their ability to provide the proposed services requested in this RFP. This additional information must be provided without cost to the EAA.

Erroneous Awards: The EAA reserves the right to correct inaccurate awards. This may include, in extreme circumstances, revoking the awarding of a contract, and subsequently awarding said contract to another Proposer. Such action on the part of the EAA shall not constitute a breach of contract.

Proposal Expenses: Proposers are responsible for all costs and expenses incurred in the preparation and/or presentation of proposals.

Ownership of Proposals: All proposals shall become the sole property of the EAA and will not be returned. All of the information contained in a proposal submitted in response to this RFP is subject to the provisions of the Freedom of Information Act

(FOIA), Section 15.231 et seq. of the Michigan Compiled Laws. In accordance with FOIA, records maintained or kept on file by any public agency (as defined by statute) are public records and every person has a right to inspect such records and receive a copy of such records, except as exempted under other applicable federal or state laws.

Ownership of Subsequent Products: Any product, whether acceptable or unacceptable, which may be developed under any contract that may be awarded as a result of this RFP, shall be, and remain, the sole property of the EAA, unless otherwise stated in the contract.

Oral Agreement or Arrangements: Any alleged oral agreements or arrangements made by Proposers with any EAA appointed or elected official, employee, or volunteer is not binding and will accordingly not be considered during the evaluation process, or subsequent awarding of a contract.

Sub-contractors: The EAA must approve, in writing, any and all sub-contractors utilized by the successful Proposer prior to any such sub-contractor commencing work. Proposers acknowledge, by the act of submitting a proposal, that any work provided under a subsequent contract, is work conducted on behalf of the EAA and that the Chancellor or his/her designee may communicate directly with any sub-contractor as the EAA deems to be necessary or appropriate. It is also understood that the successful Proposer shall be responsible for all payment of fees charged by the sub-contractor(s). Upon request, a performance evaluation of any sub-contractor shall be provided promptly by the Proposer to the EAA. It is expected however, that the Proposer will, and must, provide the majority of services described herein.

E-Mail Clarifications: The EAA intends to communicate with Proposers via e-mail (e.g., RFP clarifications and addenda). References in this RFP to "written" form of communications include email.

Additional Requests for Clarification: Prospective Proposers may request that the EAA clarify information contained in this RFP. All such requests must be made in writing and submitted via email. The EAA will attempt to provide a written response to all written requests for clarification within twenty-four (24) hours after the receipt of such request. The EAA will not respond to any request for clarification received after **5 p.m. on November 13, 2014**. The response to any request for clarification will be posted to the EAA's website and notification of such posting will be provided to all parties that filed an Intent to Respond with the EAA by the deadline set. Requests for clarification and inquiries must be made via email. All requests for clarification must be directed to Jamie Glavin at jglavin@eaaofmichigan.org (Subject Line: Legal Services RFP Request for Clarification). No response will be made to any oral questions. It is each Proposer's responsibility to check the EAA's website prior to the RFP due date to ensure that they have received all of the information, including, but not limited to, all Addenda to this RFP.

Restrictions On Communication: From the issue date of this RFP until a Proposer is selected and the selection announced, a prospective Proposer shall not communicate about the subject of this RFP or a Proposer's proposal with the EAA, its Board of Directors, administrators, faculty, staff, students, or employees, except a Proposer may have communication with the aforementioned EAA personnel on matters related to the pre-proposal conference/facility walk-through, additional requests for clarification as described above, or as otherwise required by applicable law.

Addenda to the RFP: If it becomes necessary to revise any part of this RFP, notice of the revision will be emailed in the form of an addendum to all parties that submitted an Intent to Respond with the EAA. All addenda will be issued through the EAA's website and all addenda shall become a part of this RFP. In an effort to avoid any miscommunication, each Proposer must acknowledge all addenda that they have received, but the failure of a Proposer to receive, or acknowledge receipt of, any addendum shall not relieve the Proposer of the responsibility to comply with the terms thereof.

RFP Information Controlling: The EAA intends that all Proposers shall have equal access to information relative to this RFP, and that this RFP contains adequate information. No information communicated, either verbally or in writing, to or from a Proposer shall be effective unless confirmed by written communication contained in an addendum to this RFP, a request for clarification, or other written response thereto, or in the Proposal.

Finality of Decision: Any decision made by the EAA, including the Proposer selection, shall be final.

Reservation of Rights: The EAA reserves the right, in its sole and absolute discretion, to accept or reject, in whole or in part, any or all proposals with or without cause. The EAA further reserves the right to waive any irregularity or informality in the RFP process or any proposal, and the right to award a contract to a Proposer that may not be the lowest bidder. The EAA reserves the right to request additional information from any or all Proposers. The EAA reserves the right to negotiate with the Proposers concerning their proposals. In the event a Proposer's proposal is accepted by the EAA and the Proposer asserts exceptions, special considerations or conditions after acceptance, the EAA, in its sole and absolute discretion, reserves the right to reject the proposal and award the contract to another Proposer.

Release of Claims: Each Proposer, by submitting their proposal, releases the EAA from any and all claims arising out of, and related to, this RFP process and selection of a Proposer.

Proposer Bears Proposal Costs: A recipient of this RFP is responsible for any and all costs and liabilities incurred by them, or others acting on their behalf, in preparing or submitting a proposal, or otherwise responding to this RFP, or any negotiations incidental to their proposal or this RFP.

Irrevocability of Proposals: All proposals submitted shall not be withdrawn and shall be irrevocable for a minimum period of one hundred twenty (120) calendar days following the Due Date for receipt of proposals set forth above.

Collusive Bidding: The Proposer certifies that their proposal is made without any previous understanding, agreement or connection with any person, firm or corporation making a proposal for the same service, and is in all respects fair, without outside control, collusion, fraud or otherwise illegal action.

PROPOSAL SUBMISSION DEADLINE AND REQUIREMENTS

In addition to the requirements outlined above, the following must be adhered to in an effort to ensure proper consideration of your proposal:

Due Date: *November 19, 2014 at 1 p.m. EST* via email to jglavin@eaaofmichigan.org

Intent to Respond: Each Proposer who intends to submit a Proposal in response to this RFP shall submit an "Intent To Respond" via email to Jamie Glavin at jglavin@eaaofmichigan.org (Subject Line: Legal Services RFP Intent To Respond), on or before **5 p.m., November 13, 2014**. The Intent to Respond shall include the name of the Proposer, the name of a contact person and that person's e-mail address. Failure to submit an Intent To Respond by the aforementioned deadline does not preclude a Proposer from submitting a Proposal; however, Proposers who do not submit an Intent To Respond by the aforementioned deadline will not receive notifications of Requests For Clarification and/or Addenda, and it shall be the Proposer's sole responsibility to check the EAA's website for the same.

Late Proposals: Each Proposer is responsible for submission of its proposal. Proposals or proposal revisions received after the due date will not be accepted or considered. The EAA is not liable for any delivery or other delays.

Disqualification: Any proposal not providing the required information, or not conforming to the format specified herein, may be disqualified on that basis. Proposals must: (i) demonstrate an understanding of the scope of services requested under this RFP; (ii) demonstrate the ability to provide the Legal Services set forth in this RFP and any subsequent contract the parties may enter into; and (iii) include all necessary and relevant information that will enable the EAA to thoroughly evaluate each Proposer's overall experience, expertise, qualifications and ability to deliver Legal Services in accordance with the requirements and obligations of this RFP and any subsequent contract. Each proposal shall also include any other information or explanations that the

Proposer deems significant with respect to the EAA making an informed decision relative to their proposal.

Exceptions: Any exceptions to the terms and conditions contained in this RFP or the form of any subsequent contract entered into by the parties, or any other special considerations or conditions requested or required by the Proposer MUST be specifically enumerated by the Proposer and be submitted as part their proposal, together with an explanation as to the reason such terms and conditions of the RFP or resulting contract cannot be met by, or, in the Proposer's opinion, are not applicable to, the Proposer. The Proposer shall be required and expected to meet the specifications and requirements as set forth in this RFP and resulting contract in their entirety, except to the extent exceptions or special considerations or conditions are expressly set forth in the Proposer's proposal, and those exceptions or special considerations or conditions are expressly accepted by the EAA. All pricing factors must be clearly indicated in the Proposer's proposal.

Background Cover Letter: A cover letter with background information regarding the Proposer must be included, which should serve as an introduction of the Proposer and the services they are able to provide to the EAA, on business letterhead.

Background and Qualifications: Background information and qualifications of any and all personnel who will be involved in carrying out and/or performing the services required under this RFP and any subsequent contract, must be provided. Please also provide a description as to the chain of command and/or reporting relationships within your organization. To the extent that an organizational chart is available, please also include this in your proposal.

References: Each proposal must include detailed evidence that the Proposer is currently providing similar services for other PK-12 public school districts or educational institutions. The Proposer must provide this information, including contact names, addresses, phone numbers of those individuals at other districts and/or educational entities that have knowledge of your experience. Please also include a description as to the type and scope of services provided to these entities. In addition, a detailed explanation as to the similarity in services performed for other school districts of similar size and scope as the EAA would be helpful.

Financial Reports: Documentation of sufficient financial resources and capacity to provide the services requested hereunder. This documentation shall include an audited financial report for the three (3) most recent fiscal years of the Proposer. If unavailable, please clearly state the reason as to the unavailability of said documentation and provide equivalent alternative financial materials upon submission of your proposal.

Compliance with Laws and Regulations: Each Proposer must demonstrate their understanding and ability to comply with all regulations, codes, ordinances local, state,

and/or federal laws that apply to the requirements and/or obligations contemplated by this RFP and/or resulting contract, which includes, but is not limited to, IDEA, FERPA, the Michigan Revised School Code and any rules and regulations promulgated thereunder.

Other: Describe any other resources to be provided by the Proposer, which are not outlined above, which may demonstrate or enhance the Proposer's ability to carry out the services required under this RFP and any subsequent contract the EAA and the Proposer may enter into.

Litigation and Regulatory Proceedings: List all litigation or regulatory proceedings the Proposer may have been a party to, and/or involved in, during the past five (5) years, within the state of Michigan, or within those state(s) where 85% or more of the Proposer's contracts are performed. Please only provide information as to litigation and regulatory proceedings that may have involved contract disputes and/or negligence actions involving: (i) school districts in which the Proposer has been a service provider; (ii) issues as to supplies, equipment or services similar to those requested in this RFP; (iii) noncompliance of the Proposer's reporting or documentation requirements, alleged poor working conditions of the Proposer and/or unlawful employment practices under the Occupational Safety and Health Act, Title VII or other applicable state and federal laws; or (iv) any suits whereby an employee of the Proposer was found to have mistreated students in any manner. It is contemplated under this RFP that workers' compensation and unemployment proceedings are not included in this requirement.

Training: Fully describe, and provide evidence and scope of, Proposer's formalized in-service training and educational programs for all of its employees.

Agreement to be Bound: All Proposers will be required to provide a signed letter setting forth the Proposer's agreement to be bound by the terms and conditions of this RFP.

Pricing: Proposers should provide substantiation and an explanation of costs associated with the work being proposed by the Proposer.

VI. Selection Criteria

A selection committee will review and score all proposals. The following information, in addition to the requirements, terms and conditions identified throughout this RFP, may be included in the selection process:

Oral Interviews: The EAA may require Proposers to participate in an oral interview and negotiation process to discuss their proposal and to answer any questions the EAA may have regarding their proposal. If this is requested, the EAA will notify the Proposer

by contacting the individual(s) identified in their proposal. It is anticipated that interviews will be scheduled **during the week of November 24, 2014**. If selected to participate in an oral interview, the Proposer(s) should be prepared to make a presentation to the selection committee for no more than twenty (20) minutes.

VII. Instructions to Proposers

Proposal Schedule:

The EAA's anticipated timeline for its selection process is:

Issuance of this RFP	November 10, 2014
Deadline for written Intent to Respond	5 p.m. — November 13, 2014
Deadline for written Requests for Clarifications	5 p.m. — November 13, 2014
DUE DATE FOR PROPOSALS	1 p.m. — November 19, 2014
Proposer interviews and presentations to the EAA's selection committee	Week of November 24, 2014

PLEASE NOTE: The EAA reserves the right, in its sole and absolute discretion, to make modifications to the above selection timeline as it determines to be in its best interest. During the period from your organization's receipt of this RFP, and until a contract is awarded, your organization shall not contact any employee of the EAA for additional information, except in writing (including e-mail), directed to the Procurement Contact listed on the cover page of this document, at Education Achievement Authority of Michigan, 300 River Place, Suite 3600, Detroit, MI 48207. Your organization assumes the risk of any delay in the mail. Whether sent by mail or by means of personal delivery, your organization assumes responsibility for having your proposal deposited on time.

Questions: Questions for the purpose of clarifying this RFP must be submitted in writing and must be received no later than 5:00 PM Eastern on November 13, 2014. Questions must be emailed to jglavin@eaaofmichigan.org. Answers to questions received will be posted as an Addendum to this RFP.

VIII. Contractual Obligations

This RFP is not a contract and, alone, shall not be interpreted as such. Rather, this RFP only serves as the instrument through which proposals are solicited. The EAA will pursue negotiations with the highest scoring proposer(s). If, for some reason, the EAA and the highest scoring proposer(s) fail to agree to a contract, then the EAA may commence contract negotiations with other Proposers. The EAA may decide, at any time, to start the RFP process again.

Insurance Certificates: An Insurance Certificate evidencing all insurance coverage required, as outlined herein, will be required.

Services: The Proposer shall agree to perform all of the services contemplated by this RFP and any subsequent contract that the parties may enter into.

Personnel/Staffing Levels: Throughout the initial term, and any renewal term(s) which may be exercised under a resulting contract, the Proposer shall provide all of its personnel (including management, supervision, related administrative personnel necessary for the provision of services) with any and all requisite training. The Proposer shall also recruit, ensure that background checks are performed, employ, compensate, and supervise all staff provided to the EAA.

Fingerprinting and Background Checks: The Proposer and all of its employees and agents providing services to the EAA shall meet the requirements of the School Safety Initiative Legislation, being MCL 380.1230, 380.1230a, 380.1230c, 380.1230d and 380.1230g.

Hold Harmless/Indemnification: The Proposer shall indemnify, defend and hold the EAA harmless pursuant to the terms and conditions of any subsequent contract the parties may enter into.

Compliance with Laws: The Proposer shall comply, and ensure that their employees and agents performing services for the EAA comply, with any and all federal, state and local laws, rules, ordinances, policies and regulations, including any licensing and permitting requirements, applicable to providing the services anticipated in this RFP and any subsequent contract. The Proposer, including their employees and agents, shall be required to acknowledge the EAA's policies and procedures concerning appropriate behavior of persons in its facilities and, on its properties, including for example, policies related to sexual harassment, EEO and workplace conduct, and shall comply with all such policies and procedures. Additionally, all services must be provided in compliance with IDEA and FERPA. The Proposer shall be responsible and liable for the safety, injury and health of its personnel/employees while its personnel/employees are performing services for the EAA.

IX. RFP Rubric

Proposer	Total Score:
	_____/60

Section	1-Below	2-Partially Meets	3-Meets	4-Exceeds
Description of Service Model and Approach	Offers insufficient information regarding the organization’s model and approach to delivering the services solicited through the RFP.	Offers a somewhat clear explanation of the organization’s services that could be strengthened by greater detail and specificity.	Offers a comprehensive and well-written explanation of the organization’s services solicited through the RFP.	Offers an exceptionally clear, comprehensive, and compelling description of the organization’s services solicited through the RFP.
Experience and Track Record	Provides insufficient evidence of the organization’s ability to satisfactorily provide the requested services in a school setting.	Provides some evidence to suggest the organization’s ability to satisfactorily provide the requested services in a school setting.	Provides sufficient evidence to validate the organization’s ability to satisfactorily provide the requested services in a school setting.	Provides ample evidence of the organization’s ability to satisfactorily provide the requested services in a school setting.
Staffing Model	Provides insufficient information regarding the organization’s leadership structure and staffing model for the engagement outlined in the RFP.	Provides some information to describe the organization’s leadership structure and staffing model for the engagement outlined in the RFP.	Articulates the organization’s leadership structure and proposed plans to staff the engagement with experienced and talented professionals.	Fully describes the organization’s leadership structure and proposed plans to staff the engagement with experienced and talented professionals.
Cost Information	Fails to provide cost information and/or cost information is unclear and lacks alignment with the organization’s proposed services.	Provides some cost information; however, the presentation may be disorganized or lack detail and alignment to the services requested through the RFP.	Provides adequate cost information, including a breakdown of the proposed services aligned to the RFP.	Provides clear and sufficient cost information aligned to the proposed services, showing justifications for all costs.

Section	Score	Weighting	Total Points
Description of Service Model and Approach		x5	_____/ 20
Experience and Track Record		x5	_____/ 20
Staffing Model		x3	_____/ 12
Cost Information		x2	_____/ 8
Total Score:			_____/ 60

EDUCATION ACHIEVEMENT AUTHORITY OF MICHIGAN

REQUEST FOR PROPOSALS

FOR

LEGAL SERVICES

ATTACHMENTS

Attachment A — Familial Disclosure Affidavit

Attachment B — Pricing

EDUCATION ACHIEVEMENT AUTHORITY OF MICHIGAN

REQUEST FOR PROPOSALS
FOR
LEGAL SERVICES

ATTACHMENT A – Familial Disclosure Affidavit

Familial Disclosure Affidavit

The undersigned, the owner or authorized officer of _____ (the "Proposer"), pursuant to the familial disclosure requirement provided in the Education Achievement Authority of Michigan's (the "EAA") Request for Proposal – Legal Services, hereby represents and warrants that, except as provided below, no familial relationships exist between the owner or any employee of the Proposer, and any member of the Board of Directors of the EAA, Chancellor of the EAA, or any other EAA employee.

List any Familial Relationships:

Proposer

By: _____

Its: _____

Dated: _____

Subscribed and sworn to before
me this ____ day of November, 2014

Notary Public

_____ County, State of Michigan
My commission expires: _____

EDUCATION ACHIEVEMENT AUTHORITY OF MICHIGAN

REQUEST FOR PROPOSALS
FOR
LEGAL SERVICES

ATTACHMENT B – Pricing

Pricing

Proposer will provide pricing all-inclusive of labor, materials, supplies, travel and any other necessary items.

Services	Hourly Rate
Senior Counsel	\$
Counsel	\$
Junior Counsel	\$
Para Legal	\$
Administrative Assistant	\$